

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Irrigation & C.A.D. Department – Allegation of corruption against Sri M. Dayanand, former Assistant Engineer, Irrigation Branch, Pitlam Section, Nizamabad and presently working in the office of I.B. Sub-Division, Kamareddy – Trapped by the Anti-Corruption Bureau on 31.10.2002 – Placed on his defence before the Tribunal for Disciplinary Proceedings – Charge proved – Imposition of a punishment of dismissal from service on Sri M. Dayanand, Assistant Engineer – Orders – Issued.

IRRIGATION AND COMMAND AREA DEVELOPMENT (SER.VI) DEPARTMENT

G.O.Ms.No. 84

Dated: 24.08.2013.

Read the following:-

- 1) From the D.S.P., A.C.B., Nizamabad Range, Nizamabad Automex Message, dated 31.10.2002.
- 2) Proceedings No.Rc/ENC/S5/33098/2002, dated 01.11.2002 of Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad.
- 3) From the Director General, Anti-Corruption Bureau, Hyderabad, Letter No.305/RCT-NZB/2002, dated 14.12.2004.
- 4) Govt.Memo.No.36652/Ser.VI(1)/2002-15, dated 30.07.2005.
- 5) G.O.Rt.No.1773, Irrigation & C.A.D. (Ser.VI-1) Department, dated 03.12.2005.
- 6) From the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad, Dis.No.S/15/2010, dated 05.08.2010.
- 7) Govt.Memo.No.36652/Ser.VI(1)/2002-31, dated 16.08.2010.
- 8) From Sri M. Dayanand, Assistant Engineer representation, dated 06.03.2013.

ORDER:-

In the reference 1st read above, it has been brought to the notice of the Government that, Sri M. Dayanand, Assistant Engineer, Irrigation Branch, Pitlam, Nizamabad District was trapped on 31.10.2002 when he demanded and accepted a bribe of Rs.2,000/- from Sri P. Hanmanth Reddy, President of Water Users' Association, R/o. Annaram, Pitlam Mandal of Nizamabad District for doing an official favour of recording the works executed in Measurement Book for payment of bill amount.

2. In the reference 2nd read above, the Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad has issued orders, by placing Sri M. Dayanand, Assistant Engineer under suspension, until conclusion of the disciplinary proceedings/termination of all proceedings relating to the criminal charges.

3. In the reference 3rd read above, the Director General, Anti-Corruption Bureau, Hyderabad has recommended to place Sri M. Dayanand, Assistant Engineer on his defence before the Tribunal for Disciplinary Proceedings.

4. Government after careful examination of the matter, placed Sri M. Dayanand, Assistant Engineer (U/s), Irrigation Branch, Pitlam Section, Nizamabad District on his defence before the Tribunal for Disciplinary Proceedings on the allegation of corruption under Rule 3 (1) (2) of the Andhra Pradesh Civil Services (DPT) Rules, 1989 vide reference 4th read above.

5. In the reference 5th read above, orders were issued, by revoking the suspension of Sri M. Dayanand, Irrigation Branch, Pitlam Section, Nizamabad and reinstating him into service as per G.O.Ms.No.86, General Administration (Ser.C) Department, dated 08.03.1994 without prejudice to the disciplinary proceedings pending against him.

(P.T.O.)

6. In the reference 6th read above, the Secretary, Tribunal for Disciplinary Proceedings has forwarded the reports in TEC.No.15/2008, dated 23.07.2010 wherein, the Tribunal for Disciplinary Proceedings has held that the charge framed against the Charged Officer Sri M. Dayanand, Assistant Engineer is proved. He is guilty of the charge framed against him.

7. In the reference 7th read above, while communicating a copy of the report of the Tribunal for Disciplinary Proceedings, Sri M. Dayanand, Assistant Engineer was directed to submit his explanation as to why a major penalty should not be imposed against him under Rule 6(2)(b) of A.P. Civil Services (DPT) Rules, 1989.

8. In the reference 8th read above, Sri M. Dayanand, Assistant Engineer, I.B. Sub-Division, Kamareddy has submitted his explanation stating, among other things, that even though there is voluminous of evidence both oral and documentary on record in his favour, the Hon'ble Tribunal for Disciplinary Proceedings did not at all consider the same and appreciated properly and ultimately held him guilty of the charge stating that the charge against him is proved is totally unjustifiable and also against to the principles of natural justice. He has, therefore, requested to consider his explanation/representation dispassionately and reject the findings of the Hon'ble Tribunal for Disciplinary Proceedings and thus provide him justice and solace by dropping all further action in pursuance of the report of the Hon'ble Tribunal for Disciplinary Proceedings.

9. After careful examination of the entire matter, it is observed that there are no new reasons / grounds put forth by the accused officer Sri M. Dayanand, Assistant Engineer other than those already examined during the inquiry by the Tribunal for Disciplinary Proceedings, and accordingly, accepted the findings of the Tribunal for Disciplinary Proceedings. Therefore, it has been decided to impose a punishment of dismissal from service on Sri M. Dayanand, Assistant Engineer, as per the orders issued in G.O.Ms.No.2, General Administration (Ser.C) Department, dated 04.01.1999, as he was guilty of the charge framed against him. Accordingly, Government hereby order to impose a punishment of dismissal from service on Sri M. Dayanand, Assistant Engineer, formerly worked in the office of Irrigation Branch, Pitlam Section, Nizamabad District and presently working in the office of I.B. Sub-Division, Kamareddy, as he was guilty of the charge framed against him.

10. The Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri M. Dayanand, Assistant Engineer, formerly worked in the office of Irrigation Branch, Pitlam Section, Nizamabad District and presently working in the office of I.B. Sub-Division, Kamareddy through the Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad.

The Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad.

Copy to:-

The Director General, Anti-Corruption Bureau, Hyderabad.

The Accountant General (A & E), Andhra Pradesh, Hyderabad.

The Secretary to Vigilance Commission, A.P. Vigilance Commission, Hyderabad.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER